

I hereby certify that this correspondence is being transmitted via the EFS to the U.S. Patent and Trademark Office on the date shown below.

Date 7-1-08

By Angela Loding
Angela Loding

PATENT
Attorney Docket No.: S-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David C. Hovda et al.

Serial No.: 10/656,597

Filing Date: September 5, 2003

Title: METHODS AND APPARATUS FOR
TREATING INTERVERTEBRAL
DISCS

Examiner: Peffley, Michael F.

Group Art Unit: 3739

Confirmation No.: 7953

**RESPONSE TO NON-FINAL
OFFICE ACTION**

MAIL STOP – AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed January 3, 2008, Applicants hereby petition for a three-month extension of time under 37 CFR 1.136(a) and respectfully submit the following amendments set forth below and request favorable action thereon.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.